

SKYE R. PAIGE, )  
)  
Plaintiff, )  
)  
v. ) No. 4:20-CV-320 HEA  
)  
CITY OF FARMINGTON, )  
)  
Defendant. )

Defendant moved for appointment of counsel in the District of Kansas on November 4, 2019. Her request was denied by the District of Kansas on November 25, 2019. In its Order denying plaintiff's motion for counsel, the Court noted that at that point in the action, plaintiff had not carried her burden in showing that she was entitled to appointment of counsel.

There is no constitutional or statutory right to appointed counsel in civil cases. *Nelson v. Redfield Lithograph Printing*, 728 F.2d 1003, 1004 (8th Cir. 1984). In determining whether to appoint counsel, the Court considers several factors, including (1) whether the plaintiff has presented non-frivolous allegations supporting his or her prayer for relief; (2) whether the plaintiff will substantially benefit from the appointment of counsel; (3) whether there is a need to further investigate and present the facts related to the plaintiff's allegations; and (4) whether the factual and legal issues presented by the action are complex. *See Johnson v. Williams*, 788 F.2d 1319, 1322-23 (8th Cir. 1986); *Nelson*, 728 F.2d at 1005.

Although the Court has reviewed plaintiff's filings, it is not yet clear that plaintiff has presented non-frivolous allegations in her two-fold complaint.<sup>1</sup> However, she has demonstrated, at this point, that she can adequately present her claims to the Court, just as she did to the Equal Employment Opportunity Commission. Additionally, neither the factual nor the legal issues in this case are complex, as they appear to be a straight-forward employment discrimination and retaliation action, brought pursuant to Title VII of the Civil Rights Act of 1964 ("Title VII"), 42 U.S.C. § 2000e *et seq.* To that end, the Court will deny plaintiff's motion for appointment of counsel at this time.

The Court will entertain future motions for appointment of counsel as the case progresses.

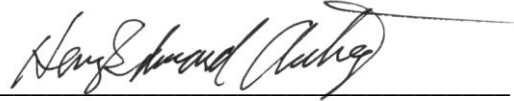
Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion for appointment of counsel [Doc. #19] is **DENIED** without prejudice.

Dated this 27th day of March, 2020.

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<sup>1</sup>As noted in the Court's Memorandum and Order entered this same date, plaintiff filed two separate complaints on November 4, 2019. Thus, the Court has ordered plaintiff to amend her complaint on a court-form. Plaintiff will have thirty days to do so.

A handwritten signature in black ink, reading "Henry Edward Autrey", with a long horizontal flourish extending to the right.

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HENRY EDWARD AUTREY  
UNITED STATES DISTRICT JUDGE